



252/199  
Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re the Application of:**

Brian Ross et al.

**Serial Number:** 09/545,316

**Filed:** April 7, 2000

**For:** SYSTEM AND METHOD FOR  
FACILITATING THE PRE-  
PUBLICATION PEER REVIEW  
PROCESS

**Group Art Unit:** 2756

**Examiner:** Unknown

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JUN 1 2001  
Technology Center 2100

**INFORMATION DISCLOSURE STATEMENT**

**REFERENCES AA-AM**

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Lyon & Lyon LLP  
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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO-1449 and copies are enclosed for the convenience of the Examiner.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

INFORMATION DISCLOSURE STATEMENT FILING PROVISION:

☒ This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d); or (2) within three months of entry of the national stage as set forth in 37 CFR §

CERTIFICATE OF MAILING  
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

May 24, 2001  
Date of Deposit

Linda Johnson

Name of Person Mailing Paper

Signature of Person Mailing Paper-0

1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

☒ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

☐ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.

☐ This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.

☐ The fee due under 37 CFR § 1.17(p) is submitted herewith.

☐ A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.

☐ This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.

**STATEMENT UNDER 37 CFR § 1.97(e):**

☐ Each item contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

☐ No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.



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PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:

- ☐ A check in the amount of \_\_\_\_\_ is enclosed for the above fee(s).  
☐ Please charge \_\_\_\_\_ to Deposit Account No. 12-2475 for the above fee(s).

The Commissioner is authorized to charge any fees required by the filing of these papers, and to credit any overpayment to Lyon & Lyon's Deposit Account No. 12-2475.

Respectfully submitted,

LYON & LYON LLP

By: 

Patric J. Rawlins  
Reg. No. 47,887

Dated: 05/24/2001



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09/545,316

LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S  
INFORMATION DISCLOSURE STATEMENT

## APPLICANT:

Brian D. Ross et al.

## FILING DATE:

April 7, 2000

## GROUP:

2756

(Use several sheets if necessary)

MAY 29 2001

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## U.S. PATENT DOCUMENTS

EXAMINER'S INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
AA	4,989,610	2/5/91	Patton et al.	128/695	128/696	11/16/87
AB	5,042,771	8/27/91	Demarest, Jr.	248/451	248/458	10/29/90
AC	5,164,751	11/17/92	Weyer	354/76	358/906	5/31/90
AD	5,269,014	12/7/93	Ogino	395/500	364/578	11/15/91
AE	5,307,262	4/26/94	Ertel	364/413.01	364/413.02	1/29/92
AF	5,359,509	10/25/94	Little et al.	364/401	364/406	10/31/91
AG	5,432,657	7/11/95	Akama	360/74.1	360/72.1	3/12/93

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

AH	First Monday, "First Monday Basics", First Monday Peer-Reviewed Journal on the Internet, 1996
AI	Roberts, Peter, "Scholarly Publishing, Peer Review and the Internet", First Monday, April 1999
AJ	Ross, Brian, "Neoplasia", Conference Reporter, AACR Conference April 10-14, 1999
AK	Ross, Brian, "Editorial", Neoplasia, Vol. 1, No. 1, April 1999
AL	Ross, Brian, "Editorial", Neoplasia, Vol. 3, No. 1, January 2001
AM	Sosteric, Mike, "Electronic Journals: The Grand Information Future?", EJS Volume Two Number Two (1996)

## EXAMINER:

Not Yet Assigned

## DATE CONSIDERED:

EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant